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utory interpretation, holding that the statute by naming the seller impliedly excludes the buyer. *State v. Rand*, *supra*. *Contra*, *State v. Bonner*, 2 Head (Tenn.) 135, overruled by *Harney v. State*, *supra*. Although this ground of interpretation seems insufficient, the resulting construction is reasonable, since the purpose of the statute is principally to protect people against an inherent weakness, and not to punish for yielding to this weakness. This reason does not apply to the particular facts of the principal case, as the defendant was only the buyer's agent. However, there is nothing in the words of the statute to justify the court in so interpreting it as to excuse the purchaser when buying for himself, and hold him liable when buying for others, and hence a refusal to depart from the general rule seems proper. The great weight of authority is in accord with the principal case. *Evans v. State*, 55 Tex. Cr. 450, 117 S. W. 167; *Anderson v. State*, 32 Fla. 242, 13 So. 435. A few recent cases, however, have held the contrary view. *Buchanan v. State*, 4 Okla. Cr. 645, 112 Pac. 32; *State v. McFadden*, 151 Mo. App. 479, 132 S. W. 267.

DEATH BY WRONGFUL ACT — NATURE OF DAMAGES RECOVERABLE UNDER FEDERAL STATUTE. — In an action by the intestate's widow under the federal Employers' Liability Act of 1908 to recover damages for the wrongful death of the intestate, the court instructed that the jury could consider the value of the care and advice of the husband. *Held*, that the instruction is erroneous. *Michigan Central R. Co. v. Vreeland*, 226 U. S. 59, 33 Sup. Ct. 192.

The statute in question is substantially the same as Lord Campbell's Act, which has been interpreted as allowing merely pecuniary damages as distinguished from damages for mental suffering and grief. STAT. 9 & 10 VICT. c. 93; *Blake v. Midland Ry.*, 18 Q. B. 93. Similar state statutes in this country have likewise been so interpreted. *Howey v. New England Navigation Co.*, 83 Conn. 278, 76 Atl. 469; *Glawson v. Southern Bell Tel. & Tel. Co.*, 9 Ga. App. 450, 71 S. E. 747. See TIFFANY, DEATH BY WRONGFUL ACT, § 154. *Contra*, *Norfolk & Western Ry. v. Cheatwood's Adm'r*, 103 Va. 356, 49 S. E. 489. As an original question, this limited construction seems questionable. The statement in the principal case that it is impossible to set a pecuniary valuation on loss of society and companionship is disproved by the granting of such damages in cases of alienation of affections and criminal conversation. *Adams v. Main*, 3 Ind. App. 232, 29 N. E. 792; *Prettyman v. Williamson*, 1 Penn. (Del.) 224, 39 Atl. 731. Parasitic damages in accident cases also show that damages for mental suffering and injured feelings may be estimated. *Warren v. Boston & Maine R.*, 163 Mass. 484, 40 N. E. 895; *Consolidated Traction Co. v. Lambertson*, 59 N. J. L. 297, 36 Atl. 100. See BURDICK, TORTS, 2 ed., 100. But the danger of undue prejudice in the jury and the practical difficulty in ascertaining such damages make the wisdom of allowing them doubtful. It seems reasonable therefore in a cause of action not recognized at common law to require a clear legislative intention to allow them.

DIVORCE — ALIMONY — POWER TO MODIFY AWARD IN GROSS. — In an action for divorce the court awarded the plaintiff a gross sum as alimony, but at the defendant's request granted an extension of the time for the payment of part of it. The plaintiff meanwhile remarried, and the defendant sought to be relieved from his obligation to pay the sum still due. The trial court refused to grant his petition. *Held*, that it did not abuse its discretion in so doing. *Narregang v. Narregang*, 139 N. W. 341 (S. D.).

Equitable decrees will not usually be modified after the expiration of the term during which they are rendered. *Hurd v. Goodrich*, 59 Ill. 450; *Snyder v. Middle States Loan, etc. Co.*, 52 W. Va. 655, 44 S. E. 250. An award of an annual sum as alimony, however, being based on the wife's right of continuous sup-